

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:	:	Chapter 11
W.R. GRACE & CO.,	:	Case No. 01-01139 (JKF)
	:	(Jointly Administered)
Debtors,	:	

Re: Docket No. 15307

NOTICE OF APPEAL

The State of New Jersey, Department of Environmental Protection ("Department" or "State") hereby appeals under 28 U.S.C. §158(a) from the Order (Doc. No. 16467) of the Bankruptcy Court (Honorable Judith K. Fitzgerald, U.S.B.J.) denying the Motion of the State to file a late proof of claim, entered on August 2, 2007.

The names of all parties to the Order appealed from and the names and addresses, and telephone numbers of their respective attorneys are as follows:

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By: /s/ ~~Rachel Jeanne Lehr~~
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Dated: August 10, 2007

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:) Chapter 11
)
W. R. GRACE & CO., <u>et al.</u> ,) Case No. 01-01139 (JKF)
) (Jointly Administered)
Debtors.)
) Re: Docket No. 15307 + 16443
) 7/23/07 Agenda Item No. 8

**ORDER DENYING MOTION OF THE STATE OF NEW JERSEY,
DEPARTMENT OF ENVIRONMENTAL PROTECTION,
FOR LEAVE TO FILE A LATE PROOF OF CLAIM**

This matter having been opened to the Court by Stuart Rabner, Attorney General of New Jersey, by Rachel Jeanne Lehr, Deputy Attorney General appearing, attorney for movant State of New Jersey, Department of Environmental Protection ("Department" or "State"); the Court having reviewed the State's motion, the Debtors' objection, the State's response brief, and the joinder of the Official Committee of Unsecured Creditors, and all exhibits thereto; and the Court having considered the arguments of counsel at the hearing, it is hereby

ORDERED that, for the reasons stated on the record at the July 23, 2007 hearing, the State's motion is denied.

Dated: Aug. 2, 2007

Judith K. Fitzgerald

Honorable Judith K. Fitzgerald *JFC*
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

APPEAL TRANSMITTAL SHEET

Case Number: _____ ☐ BK ☐ AP
If AP, related BK Case Number: _____

Title of Order Appealed:

Docket Number: _____ Date Entered: _____

Item Transmitted: ☐ Notice of Appeal ☐ Motion for Leave to Appeal
☐ Amended Notice of Appeal ☐ Cross Appeal
Docket Number: _____ Date Filed: _____

*Appellant/Cross Appellant:

*Appellee/Cross Appellee

Counsel for Appellant:

Counsel for Appellee:

**If additional room is needed, please attach a separate sheet.*

Filing Fee paid? ☐ Yes ☐ No

IFP Motion Filed by Appellant? ☐ Yes ☐ No

Have Additional Appeals to the Same Order been Filed? ☐ Yes ☐ No

If so, has District Court assigned a Civil Action Number? ☐ Yes ☐ No Civil Action # _____

Additional Notes:

Date

By: _____
Deputy Clerk

Bankruptcy Court Appeal (BAP) Number: _____
7/6/06

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